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Measures to eliminate international terrorism

Report of the Sixth Committee

Rapporteur: Mr. Drahoslav **Štefánek** (Slovakia)

I. Introduction

1. The item entitled "Measures to eliminate international terrorism" was included in the provisional agenda of the fifty-fifth session of the General Assembly pursuant to Assembly resolution 54/110 of 9 December 1999.

2. At its 9th plenary meeting, on 11 September 2000, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda of its fifty-fifth session and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 27th to 30th and 33rd to 36th meetings, on 13, 14, 15, 17, 21 and 22 November. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/55/SR.27-30 and 33-36).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996;[1]

(b) Report of the Secretary-General (A/55/179 and Add.1);

(c) Letter dated 2 May 2000 from the Permanent Representatives of Armenia and Georgia to the United Nations addressed to the Secretary-General (A/55/68-S/2000/377);

(d) Letter dated 19 June 2000 from the Permanent Representatives of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan to the United Nations addressed to the Secretary-General, transmitting an appeal by the Heads of State of the States

[1] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 37* (A/55/37).

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members of the Central Asian Economic Community on the situation in Afghanistan, adopted at Dushanbe on 14 June 2000 (A/55/86-S/2000/604);

(e) Letter dated 11 July 2000 from the Permanent Representatives of China, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan to the United Nations addressed to the Secretary-General, transmitting, inter alia, the Dushanbe Declaration, signed on 5 July 2000 by the heads of State of China, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan (A/55/133-S/2000/682);

(f) Letter dated 18 July 2000 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General, transmitting the conclusions of the Ministers for Foreign Affairs of the Group of Eight, meeting at Miyazaki, Japan, on 13 July 2000 (A/55/162-S/2000/715);

(g) Letter dated 25 August 2000 from the Permanent Representatives of Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan to the United Nations addressed to the Secretary-General, transmitting a statement of the Heads of State of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan and the Special Representative of the President of the Russian Federation, adopted at Bishkek on 20 August 2000 (A/55/326-S/2000/834);

(h) Letter dated 20 September 2000 from the Permanent Representatives of Azerbaijan, Georgia, the Republic of Moldova, Ukraine and Uzbekistan to the United Nations addressed to the Secretary-General, transmitting, inter alia, the New York Memorandum, signed on 6 September 2000 by the Presidents of Azerbaijan, Georgia, the Republic of Moldova, Ukraine and Uzbekistan (A/55/434-S/2000/926);

(i) Letter dated 10 October 2000 from the Permanent Representatives of India and the Russian Federation to the United Nations addressed to the Secretary-General (A/55/473);

(j) Letter dated 31 October 2000 from the Permanent Representatives of Armenia, Belarus, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan to the United Nations addressed to the Secretary-General, transmitting the statement by the Heads of State of Armenia, Belarus, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan, signed at Bishkek on 11 October 2000, concerning threats to security in Central Asia (A/55/533-S/2000/1054);

(k) Letter dated 1 November 2000 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General, transmitting the final communiqué of the annual coordinating meeting of the Ministers for Foreign Affairs of the States members of the Organization of the Islamic Conference held in New York on 18 September 2000 (A/55/541-S/2000/1067);

(l) Letters dated 2 and 20 November 2000 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/55/540-S/2000/1065 and A/55/634-S/2000/1108);

(m) Working document submitted by India entitled "Draft comprehensive convention on international terrorism" (A/C.6/55/1);

(n) Report of the Working Group on measures to eliminate international terrorism (A/C.6/55/L.2).

5. Pursuant to paragraph 13 of General Assembly resolution 54/110 of 9 December 1999, the Committee, at its 2nd meeting, on 25 September, established a Working Group to begin consideration with a view to the elaboration of a comprehensive convention on international terrorism within a comprehensive legal framework of conventions dealing with international terrorism, as well as to continue the consideration of the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism and the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations. At the same meeting, the Committee elected Rohan Perera (Sri Lanka) as its Chairman. The Working Group held 9 meetings, from 25 September to 6 October.

6. At the 27th meeting, on 13 November, the Chairman of the Working Group introduced the report of the Working Group, contained in document A/C.6/55/L.2 (see A/C.6/55/SR.27).

II. Consideration of draft resolution A/C.6/55/L.17

7. At the 36th meeting, on 22 November, the representative of Canada introduced a draft resolution entitled "Measures to eliminate international terrorism" (A/C.6/55/L.17) and orally revised it as follows:

(a) In the second preambular paragraph, the word "relevant" was deleted;

(b) At the end of the seventh preambular paragraph, the words "in accordance with the principles of the Charter, international law and relevant international conventions" were added;

(c) At the end of the tenth preambular paragraph, the words "and other relevant initiatives" were added;

(d) In operative paragraph 3, after the words "in accordance with", the words "the Charter of the United Nations and" were added.

8. At the same meeting, the Committee adopted draft resolution A/C.6/55/L.17, as orally revised, by a recorded vote of 131 votes to none, with 2 abstentions (see para. 11). The voting was as follows:[2]

In favour:

Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Libyan Arab

[2] The delegation of Zimbabwe subsequently indicated that, had it been present, it would have voted in favour.

Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia.

Against:

None.

Abstaining:

Lebanon, Syrian Arab Republic.

9. Before the adoption of the draft resolution, statements in explanation of vote were made by the representatives of the Syrian Arab Republic and Cuba; after the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Lebanon, Pakistan and the Islamic Republic of Iran (see A/C.6/55/SR.36).

10. Statements were also made by the representatives of the United States of America, Cuba, Israel, the Syrian Arab Republic and Lebanon (see A/C.6/55/SR.36).

III. Recommendation of the Sixth Committee

11. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling all General Assembly and Security Council resolutions on measures to eliminate international terrorism,

Convinced of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[3]

Recalling also the United Nations Millennium Declaration,[4]

[3] See resolution 50/6.

[4] See resolution 55/2.

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Stressing the need to strengthen further international cooperation between States and between international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and relevant international conventions,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Recalling the Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 49/60 of 9 December 1994, wherein the General Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there was a comprehensive legal framework covering all aspects of the matter,

Taking note of the final document of the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held at Cartagena, Colombia, on 8 and 9 April 2000,[5] which reiterated the collective position of the Movement of Non-Aligned Countries on terrorism and reaffirmed the previous initiative of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held at Durban, South Africa, from 29 August to 3 September 1998, calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,[6] and other relevant initiatives,

Recalling its decision in resolution 54/110 of 9 December 1999 that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 should address the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Noting regional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of and adherence to regional conventions,

Having examined the report of the Secretary-General,[7] the report of the Ad Hoc Committee[8] and the report of the Working Group of the Sixth Committee established pursuant to resolution 54/110,[9]

1. *Strongly condemns* all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;

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[5] A/54/917-S/2000/580, annex.

[6] See A/53/667-S/1998/1071, annex I, paras. 149-162.

[7] A/55/179 and Add.1.

[8] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 37* (A/55/37).

[9] A/C.6/55/L.2.

2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

3. *Reiterates its call* upon all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (*a*) to (*f*) of resolution 51/210 of 17 December 1996;

4. *Also reiterates its call* upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. *Reiterates its call* upon States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

6. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

7. *Urges* all States that have not yet done so to consider, as a matter of priority, becoming parties to relevant conventions and protocols as referred to in paragraph 6 of resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings,[10] and the International Convention for the Suppression of the Financing of Terrorism,[11] and calls upon all States to enact, as appropriate, domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts, and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

8. *Notes with appreciation and satisfaction* that, during the fifty-fourth session of the General Assembly and the Millennium Assembly, a number of States became parties to the relevant conventions and protocols referred to in paragraph 7 above, thereby realizing the objective of wider acceptance and implementation of these conventions;

9. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 49/60 and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 51/210, and calls upon all States to implement them;

10. *Welcomes* the efforts of the Terrorism Prevention Branch of the Centre for International Crime Prevention in Vienna, after reviewing existing possibilities

[10] Resolution 52/164, annex.
[11] Resolution 54/109, annex.

within the United Nations system, to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism;

11. *Invites* States that have not yet done so to submit to the Secretary-General information on their national laws and regulations regarding the prevention and suppression of acts of international terrorism;

12. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international terrorism;

13. *Decides* that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 shall continue to elaborate a comprehensive convention on international terrorism and shall continue its efforts to resolve the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism, as a means of further developing a comprehensive legal framework of conventions dealing with international terrorism, and that it shall keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations;

14. *Decides* that the Ad Hoc Committee shall meet from 12 to 23 February 2001 to continue the elaboration of a draft comprehensive convention on international terrorism, with appropriate time allocated to the continued consideration of outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism,[9] that it will keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, and that the work shall continue during the fifty-sixth session of the General Assembly between 15 and 26 October 2001, within the framework of a working group of the Sixth Committee;

15. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

16. Requests the Ad Hoc Committee to report to the General Assembly at its fifty-fifth session in the event of the completion of the draft international convention for the suppression of acts of nuclear terrorism;

17. *Also requests* the Ad Hoc Committee to report to the General Assembly at its fifty-sixth session on progress made in the implementation of its mandate;

18. *Decides* to include in the provisional agenda of its fifty-sixth session the item entitled "Measures to eliminate international terrorism".